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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314			TOPGYAL, GELEK W	
			ART UNIT	PAPER NUMBER
			2621	
			NOTIFICATION DATE	DELIVERY MODE
			02/08/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/016,828	<b>Applicant(s)</b> DAVID ET AL.	
	<b>Examiner</b> GELEK TOPGYAL	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3-36, 102, 103 and 133-142 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-15, 133, 134, 141 and 142 is/are allowed.
- 6) ☒ Claim(s) 16-36, 102, 103 and 135-140 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 3-15, 133-134 and 141-142 are found persuasive and have therefore been allowed.
2. Applicant's arguments filed 11/4/2009 regarding claims 16, 23, 29, 31, 33-35, 135, 137 and 139 (and their dependent claims) have been fully considered but they are not persuasive. In re pages 15-17, the applicants argue the 103 rejection of Dorricott in view of Patten. In particular, the limitation of "wherein the recorder is configured to record the first material identifiers, the second identifiers, and the semantic metadata on a recording medium with the video and/or audio material" is argued as not being taught by Patten.
3. In response, the examiner respectfully disagrees. Dorricott's system allows for the generation and the storing of the three different information data (first material identifiers, second material identifiers, and semantic metadata). Dorricott fails to teach the three different information data as being recorded together with the related video and/or audio material. The system of Patton is relied upon to teach the principal of recording information related to video material. Patton's col. 6, lines 60-67 teaches a method of storing related "metadata" either by automatic generation or by manual means along with the related video material. The metadata of Patton (automatically or manually generated) correspond to the three different information data of Dorricott. Therefore, in the proposed combination, Patton fills the void left by Dorricott in allowing related metadata to be stored along with the related video material. As to the argument

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that Patton fails to teach a recorder, Fig. 12 teaches of a method within Camera 12 that allows for the generated metadata to be recorded.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 16-17, 21, 23-26, 28-29, 31-36 and 102-103** are rejected under 35 U.S.C. 103(a) as being anticipated by Dorricott et al. (GB 2 312 078) in view of Patton et al. (US 6,408,301).

**Regarding claim 16**, Dorricott et al. teaches a video and/or audio signal processing system (Fig. 1) comprising:

a recorder (page 2, lines 21-25 teaches store manager 3 as controlling writing and reading to the store 1, VTRs 2 and other storage 21, where video and/or audio material are stored to the *archive workstation* 7) configured to record video and/or audio material on a recording medium, the recorder including:

a first generator configured to generate first material identifiers for identifying respective pieces of material on the medium such that each piece is differentiated from other pieces on the medium (Figs. 3-5 and page 3, lines 27-29 teaches that “information identifying the content of pieces of video material, e.g. the name of the material” is generated for a piece of a stored material);

a second generator configured to generate second identifiers for pieces of material, the second identifiers being generated in accordance with the first material identifiers (Figs. 3-5 and page 3, lines 27 through page 4, line 12 teaches of a Unique Material Identification Code (UMID) for a piece of stored material having a title, which relates to the "name of the material" as discussed above) and a recording medium identifier for identifying the recording medium upon which the material is recorded (Figs. 3-5 and page 3, line 27 through page 4, line 12 teaches "e) data for locating the files where the material is stored; the medium e.g. the identity of a particular tape;"), and

a metadata generator (archive workstation 7) configured to generate semantic metadata (page 3, line 27 through page 4, line 12 teaches c) picture stamps, b) information identifying the shots in the material and scripts associated with the shots (page 7, lines 14-15)) describing an attribute of the material, wherein the semantic metadata is associated with the first identifier and the recording medium identifier (page 3, line 27 through page 4, line 12 teaches that the first material identifier (met by "a name for material"), the recording medium identifier (met by "data for locating the files where the material is stored") and c) picture stamps, b) information identifying the shots in the material and scripts associated with the shots (page 7, lines 14-15) (meeting claimed semantic data) are stored together in database 6).

However, Dorricott does not explicitly teach the claimed "wherein the recorder is configured to record the first material identifiers, the second identifiers, and the semantic metadata on the recording medium with the video and/or audio information.

Dorricott et al. teaches in Fig. 5 and page 7 that the database 5 and database 6 can be combined together and stored together in a single database, therefore the combination of data as stored in database 5 and database 6 is also possible. However there is no suggestion in Dorricott et al. to store the data in the databases 5 and 6 along with the audio and video material itself.

In an analogous art, Patton et al. teachings in col. 5, lines 6-7 and in col. 6, lines 60-67 suggests that the DVD disc 16 where the audio and video material is stored may also store the index (the index includes "general" metadata correlated to the audio and video material).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to combine similar correlated information together and record them onto a single medium as taught by Patton et al. into the system of Dorricott so that content retrieval of the correlated information is faster and more time efficient.

**Regarding claim 17**, Dorricott et al. teaches the claimed wherein the medium identifier is recorded on the medium (For the same reasons as discussed in claim 16 above. The medium identifier is stored in the database).

**Regarding claim 21**, Dorricott et al. teaches the claimed wherein the recorder is arranged to produce a machine identifier identifying the recorder and to record the machine identifier on the medium and/or in the data store (As discussed above in claim 16 and claim 3, the machine identifier is stored).

**Claims 23, 29, and 33-35** are rejected for the same reasons as discussed in claim 16 above. The rejection for claim 16 above, applies to the multitude of methods, systems, recorders, and reproducers as claimed.

**Regarding claims 24 and 25**, Dorricott et al. teaches the claimed wherein a third identifier identifying the machine which initially produces the video and/or audio material is produced and the second generator associates the second identifiers with the medium identifier and the first identifiers and the third identifiers in combination (Figs. 3-5 and page 3, line 27 through page 4, line 12 teaches "e) data for locating the files where the material is stored; the medium e.g. the identity of a particular tape;"),

**Claim 26** is rejected for the same reasons as discussed in claim 16 above, and additionally, the system as disclosed by Dorricott et al. is capable of retrieval, manipulation and playback of the materials stored.

**Claim 28** is rejected for the same reasons as discussed in claims 16 and Dorricott et al. teaches the claimed wherein the second identifiers are universally unique UMIDs (Page 3, lines 9-10 teaches that these UMIDs are universally unique). Additionally, the system as disclosed by Dorricott et al. is capable of retrieval, manipulation and playback of the materials stored.

**Claims 31 and 32** are rejected for the same reasons as discussed in claim 16 above.

**Computer program product claims 36, 102 and 103** are rejected for the same reasons as discussed above in claims 33, 34 and 35, respectively. The system of

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Dorricott et al. is run on a computer (Fig. 1), which reads on the claimed “digital signal processor”.

6. **Claims 18-20, 22, 27, 30 and 135-140** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorricott et al. (GB 2 312 078) in view of Patton (US 6,408,301).

**Claims 18-20, 22, 27 and 30** recite limitations that relate to a housing which contains the medium and supports a data store, additional to the medium capable of storing the following: the first identifier, third identifier (machine identifier), and the medium identifier. The proposed combination of Dorricott et al. and Patton teaches that all of the information is stored on the medium (As discussed above in claims 16-17, 23-26, 29), however fails to teach a data store, additional to the medium that stores the same information. The examiner elects to take Official Notice.

It is well known and conventional in the art for a recording medium to have an additional storage medium supported by a housing, in addition to the recording medium itself, to record same identification information as that stored on the recording medium.

The additional storage medium acts as a backup storage identification information. This allows a user to identify a particular medium and what is stored on the medium without having to actually read the medium. Also, in the case that identification information is lost on the recording medium, the additional storage medium allows for a backup copy to be available.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to incorporate an additional storage medium, in addition to the recording medium itself to decrease the time for effective media/material retrieval in a database by allowing a user to identify and preview information stored on the medium.

**Claims 135-140** are rejected for the same reasons as discussed in claims 16 and 22 above.

***Allowable Subject Matter***

7. **Claims 3-15, 133-134 and 141-142** are allowed.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621